REMARKS

The applicant again traverses the rejection and respectfully requests full consideration and review of these arguments.

The Final Rejection has provided a limited discussion of the applicant's argument, but does not evidence a shared understanding of the nature of the claim limitations in the context of the applicant's specification.

First with respect to the applicant's discussion of the Barber (US 5,251,251) reference, the Final Rejection states that Barber has a library of recorded messages (400 on Fig. 1) "from different subscribers"... "therefore Barber discloses a multiple sets of messages such that each subscriber has its own set for collecting a message for a dedicated message recipient."

This is inaccurate. Barber's database 400 is filled with messages from celebrities or imitators of celebrities, not messages "from different subscribers. "(Barber, Col. 3, lines 54-57). The Barber subscriber picks a single message from the database 400 and associates it with his own message for playback to a selected individual. (Barber, Col 4, lines 15-27). Contrast this with the applicant's claims which cover "a *plurality of sets of recorded messages each set having a distinct personality for interacting with the voicemail system...*" (from Claim 1, similar language in all claims). The applicant's sets of messages are categorized by personality and the subscriber or user selects one of those personalities by picking a single message reflective of that personality. ("... *selecting a recorded message from the plurality of sets of recorded messages based on interactive inquiries between the user and the voice mail system.*") This chosen set then interacts with the voicemail system the user operates. Various messages from this set will be selected by the voicemail system so long as they have the selected personality (referred to obliquely as an "agent"). (Application spec, page 13 line 10 to page 15, line 21). Barber's message pair (from the subscriber and from the pre-recorded celebrities) are not operative "*for interact(ing) with a voicemail system*"(claim language from claim 1, similar language in all claims) as there is just one message the listener-to-be can hear. Thus, the unique user/system interaction claimed in claim 1 is not seen in Barber, and Barber's messages are not provided with a personality selected by a user from a set of personality indicating agent messages, and therefore Barber cannot be a valid section 102 reference against claim 1 or its dependents.

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The means for implementing this interaction set forth in claims 26 et seq. also do not read on Barber as they also require that there be a way to select a set of messages which constitute a personality out of multiple sets of messages which constitute different personalities, and they require means for creating such multiple sets of different personalitized message sets, therefore the apparatus claims are not met by Barber either.

Further objection was raised to applicant's characterization of Barber in the Final Rejection. The rejection states that "The central controller inherently runs on software. Therefore the software reads on the claimed application module." This statement is primarily confusing. Firstly, the claims should be read on the prior art to support a rejection, not the other way around. Secondly, the next statement in the rejection uses the same software to read on a separate element of the applicant's claims. "The software being run on the CPU for managing the operation of the facility reads on the claimed management module." (Again, the rejection has the reference reading on the claim instead of the reverse.) The central controller 100 (Barber Fig. 1) is detailed as including the CPU 102 in Barber's Fig. 2. Therefore, the rejection must be assumed to be stating that the same software or unit 100 of Barber reads on two separate claim elements. Not only are they separate elements in the claims, but they are described as operable together as a pair in the specification. Note the last paragraph on page 9 where signaling of a fault in an application module environmental module is sent to the related management module. Thus, Barber may support a 103 rejection of these two elements but it is not anticipatory. Perhaps some claims that one could imagine from the Barber reference could read on one or the other of the applicant's management and application modules, but that is not the legal question under consideration. The language of the claims fairly interpreted in light of the specification must read on the prior art in order to be anticipated by it.

Further, the unit 100 of Barber, while it may be running an application and it may also be doing some management function, with the assistance of some software, does not run an application that "includes several sets of pre-recorded messages. All of the messages of a particular set of pre-recorded messages are recorded by the same voice talent ... using the same basic speed, dialect, pitch and personality." (Application page 13). The management module of the applicant's invention supports a much larger system (see Fig. 1) such that it has use for "peripheral storage devices and expansion serial ports to accommodate console/maintenance port connections and

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alarming."(Application page 10 lines 13-15). With a single central controller and a mission to merely provide a single pair of messages to a subscriber's selected callers, it is clear that Barber has no need for separate management and application modules, and certainly not any need for management modules that provide for easy maintenance functions. Accordingly, these reasons for rejection of the applicant's description of the applicability of Barber are traversed and reconsideration is requested.

The rejection also characterizes the Hashimoto reference (US 4,850,005) as having "multiple sets of messages" as does the applicant's claims. This appears to be an oversimplification, which the rejection clarifies by stating that each of a group of RAMs in Hashimoto have sets of messages. However, each of the sets of messages in the applicant's claims are not set apart by being in separate RAM units, rather it is by belonging to a set that identifies a particular personality that they are separated by the system, not by the user, and the organization of the memory into which they may be inserted is irrelevant. In Hashimoto the outgoing message and messages for specific calling parties are placed into solid-state memory (RAM-1). (Col 3, lines 26-28), and the user then performs similar operations using specific keys 3, 2 and 4 to record messages in specific RAMs 2, 3, and 4 (Col 3 lines 59-62.) The user in Hashimoto thus controls where the messages are stored and retrieves them by reference to that storage location, while the mechanics of how the personalitized message sets are stored is irrelevant to the applicant's users. Therefore this seeming similarity is not similar at all, and there is no reason in Hashimoto to let the system store messages sets by personality, thus, there is no valid case for obviousness.

Further, the rejection states with reference to Hashimoto that "it was obvious for the user to make a message with a personality such as announcing the name of the caller in the message, for example, the specific message could be "Kimura I will call you back as soon as possible". This was believed previously addressed by indicating that personality in a message is not conferred by announcing a caller's name to him. There are multiple ways to announce a name and each personality (as that term is defined by the applicant and common usage) will do it differently. Again, personalizing a single message is not the same as designating a personality to all messages (in a set) that are applicable to a given user. The sets of recorded messages of the applicant are personalitized sets, whereas in Hashimoto there are merely individual messages which may or may not have an initial outgoing message that calls the user's name associated with them. In the applicant's invention a user selects a set of personalitized messages
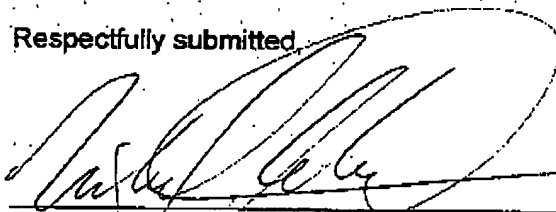
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by selecting one agent message, based on an interactive dialog (as described on page 14) with agents having distinct personalities. Thus the applicant claims selecting a message that identifies that personalitized messages. Hashimoto does not teach nor suggest anything from which this limitation can be derived.

Believing the claims to be in condition for allowance, the applicant respectfully requests the final rejection be reconsidered and withdrawn in light of the above argument.

Respectfully submitted,

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